

111TH CONGRESS  
1ST SESSION

# H. RES. 887

Recognizing the World Trade Organization member, Chinese Taipei's, accession to the Government Procurement Agreement on July 15, 2009, and extending hope and good faith that this will promote its domestic economy and position in the global economy.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 3, 2009

Mr. ANDREWS (for himself, Mr. DELAHUNT, Mr. LYNCH, Mr. MELANCON, Mr. MORAN of Virginia, Mr. BOUSTANY, Mr. SPRATT, Mr. CASSIDY, and Mr. SCALISE) submitted the following resolution; which was referred to the Committee on Ways and Means, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## RESOLUTION

Recognizing the World Trade Organization member, Chinese Taipei's, accession to the Government Procurement Agreement on July 15, 2009, and extending hope and good faith that this will promote its domestic economy and position in the global economy.

Whereas the GPA, signed into force in 1994, establishes an agreed framework of rights and obligations among its parties with respect to their national laws, regulations, procedures, and practices in the area of government procurement;

Whereas it is classified as a “plurilateral” agreement in accordance with Annex 4 of the Marrakesh Agreement Establishing the World Trade Organization (WTO) and does not include all member states of the WTO, the Government Procurement Agreement (GPA) represents an elite trading body;

Whereas the GPA maintains beneficial relationships between its parties through its scope being expanded to incorporate a series of bilateral agreements between individual parties (Article XXIV: 6);

Whereas in order to maintain the fair plurilateral and cooperative nature of the Agreement, in addition to promoting economic growth between parties, special rules and procedures have been enacted;

Whereas of particular interest is the provision disallowing “cross-retaliation”, the suspension of concessions or other obligations under the GPA as a result of disputes arising under the other WTO Agreements because of any dispute arising under the GPA (Article XXII: 7);

Whereas in an effort to promote fair trading practices, the GPA has established a domestic bid challenge system, giving suppliers, believing that procurement has been handled inconsistently with the requirements of the GPA, a right of recourse to an independent domestic tribunal in which parties may confer the authority to hear challenges by suppliers in national courts or in an impartial and independent review body (Article XX);

Whereas in order to maintain transparency within the WTO, each government must collect and provide to the other parties statistics on its procurement covered by the Agreement, in addition to the general requirement of

publishing laws, regulations, judicial decision, administrative rulings, et al. (Article XIX: 5); and

Whereas all members of the GPA have shown their dedication to promoting the global economy through the maintenance of these upstanding ideals: Now, therefore, be it

1       *Resolved*, That the House of Representatives—

2               (1) extends congratulations and welcomes Chi-  
3       nese Taipei into the Government Procurement  
4       Agreement (GPA);

5               (2) encourages Chinese Taipei to uphold the  
6       standards set forth by the GPA in an effort to pro-  
7       mote and maintain good and beneficial economic re-  
8       lations between WTO member states; and

9               (3) strongly encourages Chinese Taipei and its  
10       government-owned entities to recognize and comply  
11       with international arbitration agreements and arbi-  
12       tration awards as provided in the Treaty of Friend-  
13       ship, Commerce and Navigation of 1978.

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